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PATENT

Customer Number 22,852

Attorney Docket No. 5725.0301-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

Washington, D.C. 20231

Prior Application Art Unit: 1615 Prior Application Examiner: L. Channavajjala
 SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior Application No. 09/051,793 filed April 13, 2001, which is a Continued Prosecution Application of Application No. 09/051,793, filed September 2, 1998, of Claude DUBIEF and Christine DUPUIS, for COSMETIC COMPOSITION FOR THE TREATMENT OF KERATINOUS MATERIALS COMPRISING AT LEAST A GRAFTED SILICONE POLYMER AND AT LEAST AN AQUEOUS DISPERSION OF INSOLUBLE PARTICLES OF NONIONIC OR CATIONIC POLYMER

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior continuation Application No. 09/051,793, filed April 13, 2001, which is a Continued Prosecution Application of 09/051,793, filed September 2, 1998, all of which are hereby incorporated by reference herein.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☒ A Preliminary Amendment is enclosed.
5. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee					\$740	\$ 740.00
	Number of Claims		Basic	Extra Claims		
Total Claims	38	-	20	18	x \$18	324.00
Independent Claims	2	-	3	-0-	x \$84	-0-
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)					+\$280	-0-
Subtotal						\$ 1,064.00
Reduction by 1/2 if small entity						- -0-
TOTAL APPLICATION FILING FEE						\$ 1,064.00

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6. ☒ A check in the amount of \$1,064.00 to cover the filing fee, including the extra claims fees, is enclosed.
7. ☒ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
8. ☒ Amend the specification by inserting before the first line, the following new paragraph:

--This is Continuation Application of 09/051,793, filed April 13, 2001, which is a Continued Prosecution Application of U.S. Application No. 09/051,793, filed September 2, 1998, all of which are hereby incorporated by reference herein.--

9. ☐ New formal drawings are enclosed.
10. ☒ The prior application is assigned of record to: L'OREAL and was recorded on September 2, 1998 at Reel 9730, Frame 0086.
11. ☒ Priority of Application No. 95/12235, filed on October 18, 1995, in France, is claimed under 35 U.S.C. § 119. A certified copy ☐ is enclosed or ☒ is on file in the prior application.
12. ☐ Small entity status is appropriate and applies to this application.
13. ☒ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B. Racine, Reg. No. 30,415; Thomas H. Jenkins, Reg. No. 30,857; Robert E. Converse, Jr., Reg. No. 27,432; Clair X. Mullen, Jr., Reg. No. 20,348; Christopher P. Foley, Reg. No. 31,354; John C. Paul, Reg. No. 30,413;

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14. ☒ The power appears in the original declaration of the prior application.
15. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
16. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
17. ☐ Recognize as associate attorney _____
18. ☒ Also enclosed is an Information Disclosure Statement and Form PTO 1449


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19. PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in pending prior Application No. 09/051,793 filed April 13, 2001, which is a Continued Prosecution Application of Application No. 09/051,793, filed September 2, 1998, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: March 8, 2002

By: 
Michele C. Bosch
Reg. No. 40,524

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